G. R. S. IX-5]

Previous references. 1895-96

~~191~~

(L. R.)

File No. 16-9

Serial Nos. 1—

Later references:

Rel 65-38, Sc. 91, 165

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—15

Part B for September 1900.

SUBJECT.

Claim of Apparoo Chetty for the commission for ~~the~~ Land of Municipal Land ~~in Bangalore~~ taken up for the Bangalore City Regn. Station

Indexed

W D 83—GPB—50,000—24-7-16

Memo

The paras 4 and 5 of his letter
No 2/1 dated 1st July 1875 to the address of the Revenue Secretary, Mr C.V. G Krishna Iyengar, Supt. Division officer on Special duty ~~to the address of the~~ Revenue Secretary observed, raised the question of ~~as regards~~ the claims of the Bangalore City Municipal Board for compensation for lands taken up for the Railway, & observed that no such compensation was paid for the adjoining vacant sites within municipal limits and requested the issue of orders from Govt. as to by whom such compensation was payable since it was not payable by the Railway Department. Paras 4 & 5 of the letter were forwarded to the President of the Bangalore City Municipality with a request that he would

recorded the following order.

(3) "Examine the precedent quoted
Was compensation given to
enable municipality to rebuild
Cart stand elsewhere or was
it price for land. I have
no objection to pay for land
given to S. M. R. Co to be
paid from Capital of the
State Railway, but the
land required by British
Govt for Madras Railway has
to be given free of cost by
the Durbar under the
instrument of transfer and
I am doubtful if municipality
can claim compensation
for lands thus given." (9-7-95)

(4) Thereupon the
President was requested
to report what the extent
of the land in question was;
whether it was really taken
up; and if so how much
of it had been given to the

[redacted] 1199 of 24-95 of 22-7-96 (Slip No 21)

Madras Railway Co and how much to the S. M. R Co and also how the matter stood then. (4)

(5) The President +stated in reply that the extent of ~~land~~ municipal land taken up for the City Joint Railway station was 5 acres & 2½ Guntas, of which 1 acre & 28½ Guntas were given to the Madras Railway and the ⊕rest to the Southern Mahratta Railway Co; and that compensation was awarded to owners of lands under occupation, leaving the claim of the municipality out of consideration (Vide Govt Pro Camp etc 9-10 07 16/10/96). ×

+ etc 14 5 07 19/12/

ac... g.
5 ... 2½ Joint
1 .... 28½ Gu
⊕ 3 ..... 14 .. Gu

× Serial No. 25

A copy of this order is received with Presidents etc 206 dated 16/2/97.

be good enough to state more fully the grounds on which the Municipal Board based their claim for the same.

(Sl no 18 Pro no $\frac{271-2}{24-95}$ of 19.7.95)

(2) The President replied that when Municipal Cart stand at Sandakuppan gate was taken up for the Mysore State Railway in September 1879, the Municipality was given a compensation of Rs 3022 for the land and buildings forming the cart stand; that the Railway was then exclusively under Govt management and that following the precedent of 1879, the compensation for any land that might be taken up had to be paid for at rates paid to private parties for similar lands in the neighbourhood.

no 337, 19/8/95 (Sl no 19)

(3) Upon the letter No. 8 the Dewan

(6) The Revenue Branch file c/o 50 of 92, which contains the office draft of Pro c/o 9-10 of 17-10-96 is herewith submitted. From para 1 of this order it would appear that 5 acres & Guntas 7 of land was taken from the municipality, while in the Precedents letter c/o 145 of 19/12/96, the same is given as 5 acres & 2½ Guntas or 4½ Guntas less.

(Serial c/o 9 in file)

(Sl c/o 22)
L.R. 24 of 95

~~Orders are solicited~~

(7) submitted for orders as to whether compensation has to be allowed to the municipality for 3 acres & 14 Guntas of land (according to Precedent) on the same rate paid to private parties.

Dy 13/3

There is nothing either in the Mal Reports or in the Land Reg.n Reports throwing light on the claim set up by the Mcty for compensation for Mal land taken up by Govt. The obligation to provide land for the Madras R.H. free of cost is one, however, that lies on Govt, and not on the Mcty.

Sub Collr 16/3/97.

(1)

Kirkcudbright Report refers to other adjoining Burgh Lands in respect of which no compensation was paid to the Board - What are those Lands & when & for what Railway and on what terms were they taken up & How are there many instances of unoccupied Lands within Burgh limits having been taken up by Govt for public purposes? Was any compensation claimed or recovered by the Burgh in any of those instances except in that of the Castle Land?

18/3/97

Mr. Sanderson.
(4) 20/3/97.
draft sent 21/3/97

The Provosts of the city Mrs. from whom the above information was called for report that the difference of Rs 329.

in connection with the compensat granted for the Sandeshpar Castle stand cannot be accoun for:

2. that from papers availa in his office it appears tha

Rl 23 of 10th May 98 (SE No 33)

that a sum of Rs 2185-7-5 was applied for as per details in the margin whereas a sum of Rs 3514-10-3 was granted to the Municipality.

(3) that the records available in the Dy Comrs Office do not show any Municipal unoccupied sites adjoining the one leased to Mr Appavoo Chetty having been handed over to any Dy Cos.

(4) that the Dy Comr states that the Sondekoppa cart stand and a piece of land adjoining the well near the Cantonment Rly Station seem to be the only cases in which unoccupied lands within Municipal limits were taken up by Govt for public purposes, Compensation being paid in the former case only - and

(5) that on a separate reference made to the Amildar of the Bangalore Taluk two instances of sites taken up for public purposes were found out, but it was not possible for the Dy Comr or the Amildar to identify these sites. c —

(8)

1 Cost of cart stand taken up for the Rly Co — —

2 Value of land 1 acre + 9 at Rs 133/- per acre — —

Total Rs 3

Proceedings no 37 of 25 Sept 97
Dy Comrs no 4
25 Sept 97

vide Amildars letter

The Land Taxes Office has not been cleared up.

The sum of Rs 3022-8-8 appears in the President's letter of 1922 August 25 as representing the cost of the (East Coast) Railway Reserves. It does not seem to have included the value of the site on which the East Coast Road - there was some correspondence on the compensation payable for the site - Rs 500 were demanded by the Board which the Collector considered Rs 133 a fair price - The latter valuation was eventually accepted by the Board. But was it really paid? The extent of land was only 1 acre & 7 Gunthas - The difference between Rs 3022-8-8 which was the compensation paid for the East Coast Road Rs 3514-10-3 which was actually paid, does not correctly represent the value of 1 acre 7 Gunthas of site at Rs 133 per acre. What then was the difference? We have here to know what any portion of it was paid, on account of the site of the East Road - & get this information as quickly as possible - Rev

Rev. The payment was made by 18/12/79. Please see receipt signed by Dr Bar for Rs 3514-10-3 dated also Treasury officer's Order etc 564 D) 20/12/79

~~The President acted however~~

~~It~~ It was however made on that no compensation was paid to the Mcs for either of those sites. // ~~and~~ The President granted to the portion of the Fort Glacis on which the Victoria Jubilee Commemoration Hospital is being built now as another instance of Municipal land taken for public purpose without payment of compensation to the Mcs

Submitted for orders with the ~~that~~ Communications of the Mcs Auditor & the Dy Com referred to in paras 4 & 6 of the memo -

Precedents are conflicting, & ~~are~~ but On the whole, ~~precedents~~ they seem to be opposed to the establishment of a claim to compensation on the part of the Municipality for Mc lands taken up by Govt.

It does not seem possible to obtain further information on the subject -

A definite ruling may be laid down for future guidance -

Subs to Exec? 24/11/20

Lands are likely to be largely affected in favor of the Municipality for extensions - The claim

COVER

Read

Letter No.173 dated the 2nd May 1900 from the President of the Municipal Commission, Bangalore City, submitting copy of a resolution of the Municipal Commissioners expressing their dissent from the principle laid down in Govt.Procds. No.895-6--L.F. 24-95 dated the 2nd Feby.1900, in the matter of a claim set up by them for compensation on account of municipal lands required for public purposes.

ORDER THEREON.

The Government have given due consideration to the above representation, which is based on the argument "that the land in question belonged to the Municipal Commn. by virtue of section 7 of the Municipal Regulations of 1871, and itsd disposal rests with the Commrs. under sections 98 and 99." Granting that the provisions quoted are more or less pertinent when dealing with the Commission's power to dispose of land to private parties for private purposes, it cannot be said that they have much bearing on the question whether, regard being had to the fact that the bulk of the municipal lands formerly belonged to Government and were by them gratuitously

tously transferred to the Municipal Commission, in ~~whom the said~~ lands vested under the Municipal Regulations, it is reasonable that the Commissioners should claim to be paid for relinquishing a part of the same to the Government for public purposes. This aspect of the case does not appear to have been sufficiently considered by the Commissioners. And it therefore becomes necessary to emphasise the principle that where any land which is vested in the Municipal Commission, and which has been transferred from the Government to the Municipal Commission, is required by the Government for a public purpose, it may be resumed by Government without compensation to the Commission, except for the cost or the present value (whichever may be less) of any permanent buidings erected, or other works executed, thereon by the Commission, and for the amount (if any) paid to Government therefor. It was, ~~partly~~ chiefly, on this consideration that the Government declined to entertain the present claim; and this decision they now see no reason to reconsider.

(12)

9-7-10

To

Secretary.

The Presdt.,Munl.Commn., Bangalore City.

Copy to Presdt.,Munl.Commn.,Mysore City.

ed by the Municipality
in the case [illegible] unreasonable
& undesirable - for lands
required for public purposes
Good cannot be called
upon by the Municipality
to pay any compensation.

Sd/- J. [illegible] Rec C. E. Dy

1-12-99

2/12/99
454

2/12/99

I agree

[illegible]

I agree to the above

S.V.R.
Dy 21.1900

27 12 99

The above order was duly communicated to the Board. The Board now request the Govt. to reconsider their order, on the ground that all Municipal lands vest in the Commissioner under Sec 7 of the Mt Regulation of 1871 and are subject to disposal by sale or otherwise by that body alone under Sec 8 & 9 of the said Regn.

Submitted for order to Secr.
with a draft for approval

15/5/00

(20)

MYSORE GOVERNMENT OFFICE.

Local Boards BRANCH.

(14) B

OFFICE NOTE.

SUBJECT.

Compensation for buildings and lands acquired from ~~ex~~ the municipality for the Southern Mahratta Railway

---

This office has no reference on the subject. In 1879, the Railway Dept acquired the Bandy Stand near Sondekuppam gate, ~~was acquired~~ for which the municipality claimed Rs 3022-8-8 as ~~the~~ cost of the buildings price, besides the value of the site of the said land + stand. The municipality claimed payment ~~at the~~ of compensation for the site at Rs 50 per acre, but e

+ 1 acre 29 Guntas.

Order of the Deman noted Bungalow Presedents' ch 33 ¶ 19: August 1895.

Examine the precedent ted. Was compensation given mable municipality to rebuild at stand elsewhere or was price for land.

Ricketts fixed it at Rs 133 per acre (Vide Bangalore Dy Commrs 777 Dy 1/8/79). The total sum received by the municipality as compensation for the bandy stand and the site, on which the bandy stand stood, was Rs 3514-10-3. (Please see Dr Orrs receipt Dy 18/12/79).

15

Submitted.

Dy 11/9/95

Submitted to the Pt Commr

The compensation paid in 1879 was both for the cost of the stand-stand as well as the value of the site. It does not appear that the cart stand was built there-there. The file is submitted.

2. The lands within the municipal limits are vested in the municipal corporation, and compensation shd in my humble opinion be paid to it, if any portion of the lands is taken by the Govt. either for transfer to the railways or other Railways, or for any other purpose Dy 16/9/95

I have already recorded my views in this case. Please see my note dated 16/9/95. This shd be put before me for my orders Dy 16/9/95

Whose is the property of the land now [illegible] has been [illegible] Govt [illegible] Rly [illegible] has been [illegible] the S. of R [illegible] now Kland

ad 16/9/96 15

Gen. 30.]

OFFICE OF THE DEWAN OF MYSORE. 18 JUL. 95

17

1895

249

From B. G. Krishna Iyengar Officer on Special Duty.

To The Chief Secretary to the Govt. of Mysore.

Dated 1st July 95

Despatched

Received

Enclosure No.

General No. 2

No. 1

Reporting that for certain reasons he considers Appa Rao Chetty is entitled for the remission of the rent on certain lands taken up for the City Joint Railway Station.

Submitted for orders. The demand was for one year ending 13/2/95. I beg to submit the Municipality entitled to the remission of the rent of the lands

References to be marked.

H.S.G.P.E.—4-12-95—2000

S. No. L.R.

Date No. 16-95

Serial No. 1

Memorandum

Mr. Rice

Mr. Bowring

Mr. Wiggs

Mr. Brandis

Sir.

compensation for private lands taken up for the City Railway station, the Municipality is also entitled to compensation at one Rupee per square yard. The payment has to be made from Provincial funds.

BRJ 12/7/95

The rent is payable to the Municipality. It is for the Board to say whether they will forego the rent or not. I see Appa Rao Chetty's appeal to Govt. if he feels aggrieved by the demand. In the absence of such an appeal we need not trouble ourselves in the matter. As for the compensation for acquisition payable to the Board, the Board seems to be entitled to it, but this is a matter on which it would be advisable to take the Board's orders.

LP.

Submitted for Govt. decision.

13/7

Office of the Sub Divisional
Officer Salem
Bungalow dated 6th July 95

No. 2
Rec'd 11

From,

R. S. Krishna Iyengar Esqr

Sub Divisional Officer
on Special Duty

R.
Report 4/7/95
3/7/95
To
Collector
Salem

The Revenue Secretary to the
Government of Madras.

Sir,

In submitting herewith, for
the orders dated 19th June 1895 from the
Vice President City Municipal Commissioner
Thereon to state what action
Question which is required for the extension
of the city Joint Railway Station over
vested in the Municipality &c &c 120
amount from the City Municipality
on the express condition that the city
should be vacated within one year after
notice without any compensation. In
the

limits, the prices of these lands not being paid by the Railway Company but by the Mysore Government. It is therefore left to the Government to decide on the point.

(5) Adjoining sites in private holding have been paid for at one rupee per square yard.

I have the honor to be
Sir
Your most obedient servant
[illegible]
Sub Division Officer
on special Duty.

the site with others was ordered to be acquired for the ——— extension of the city Railway station notice under Section 34 of the Land Acquisition — Regulation was published on 19th February and one year having expired on 19th February 1905 the Application Entry was directed to remove the building thereon and vacate the site.

(2) As the building has been mortgaged to one Govindacharlu it is required that the materials may be sold for the Government any over and above cost being deducted out of the sale proceeds. Accordingly the Deputy Tahsildar of Saidapet has been directed to do the needful in his office No 139 dated 1.5.05.

(3) Under such circumstances I think the Claimants is fairly entitled for a remission of the rent more especially as the land has been occupied by them for more than a year.

(4) As to the Parties' claim for compensation no such compensation has been awarded for the adjoining vacant site also required for Railway extension within the municipal limits

Section L.R
File No 16-95
Serial No 2

Read:— (1-8)

Letter from Mr B.C. Rankine Superintendent Sub Treasury Officer & Special Duty Master 1st July 1895 to Deputy Minister for certain reasons Mr Thomas Chetty is entitled for the remission of the rent on Municipal lands taken up for the G.I.P. Joint Railway Station

Order thereon 971-2 L.R.

RJ 216.

971-2 5/1895
24/95

Mr. Thomas Chetty

Since he did not apply for the Municipal land for remission of rent on the Municipal land, leased out to him.

(2) As regards the question of compensation

~~The Board may be~~ ~~favourable~~ ~~with~~ a copy of the letter received from the Municipal Board above ~~and~~ ~~to~~ that he will be communicated to state more fully the grounds ~~of this claim~~ on which the Municipal Board bases their claim for the same.

16/12 M.
for General Secretary
RJ
Dy Supt of Land Management
Sub Treasury Officer
to Circulate in Sub Treasury with enclosure

will be
is forwarded to the President of the Bangalore Municipal Board with a request that

Gen. Serial No. 31.]

189

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

Separate file

Claim against apparent theft
for pearling rel canal in Bangalore

(General Serial No. 31.)

189

OFFICE OF THE
1574
20. AUG. 1895
DEWAN OF MYSORE

From The President L.M.C.

To The Municipal commission.
Bangalore.

The General Secretary.
to the Government of Mysore
Bangalore.

Dated
Despatched
Received } 19th August 95.

No. Enclosures No.
General No. 33
No.

Sir,

In reference to para 2 of Government proceedings No: a-1-2 1/2-21-95 dated 19th inst I am requested to state the grounds on which the Municipal Board base their claim for compensation & have the honor to report that when the Municipal Cart was taken up for the

Submitted 27/8/95.
Compensation may be sanctioned.
Sec'y. L.R.
22/8/95 No. 16-95
Serial No. 3
The 27th inst.
27/8

The compensation has been paid from Land Fd.

To demand
Receipt

Examine the precedent quoted - when compensation given to Madras Railway to refund Govt Share there or was the price for land.
I have no objection to pay for land given to S.M.R. Co. to be paid from Capital of the State Railway, but the land reqd. by British Govt has been given for Madras Railway, may be given free of Cost by the Darkast under the Instrument of transfer & I am doubtful if Municipality can claim Compensation for such lands thus given by Govt.
2/9/95.

Mr. Secy. with Enquiry

Read:- Letter No 339/19 August 1895 from the President City Mun. Commissioners Bangalore stating the grounds on which the Mun. Board base their claim for compensation for certain ~~land~~ lands taken up for the City Joint Railway Station

(24)

Section L.R.
File No 16-95
Serial No 4

within municipal limits

RJ 168

1195
RJ-24-95 9/11/96

Order thereon

The President will be requested to report what the extent of the land now in question is, whether it has been really taken up & if so, how much of it has been given to the Madras Railway Co & how much to the S. M. R. Co; and also how the matter now stands generally

W. 9/11
for Secy

The President,
City Mun. Comrs.
Bangalore

Dy 18/7

by-gone state;

in September 1917 the

Municipality was given

a compensation of $30.00

for the land and building

forming the out-stand.

The Railway may

then exclusively under

Government management

[redacted] the precedent-

of levying the compensation

for any land that may

be taken up has to be

paid for at rate paid

to private parties for

similar lands in the

neighbourhood.

I have the honor to be

Sir

Your most obedient Servt

[signature]

19/8

For President-

(16)

OFFICE OF THE MUNICIPAL COMMISSION,
City Bangalore, 19th December 1896

No. 145
En: one.

From

The President, Municipal Commission,
Bangalore City.

To

The Secretary to the
Government of Mysore
General & Rev: Departments
Bangalore

Sir,

With reference to Government Proceedings No. 1199 L.F. 24-95 dated 22nd July 1896,

Ref. 21

I have the honor to state that the extent of Municipal land taken up for the City Joint Railway Station is 5 acres and 2½ guntas, of which 1 acre and 28½ guntas were given to the Madras Railway and the rest to the Southern Mahratta Railway. It appears from the Deputy Commissioner's docket No: 963 dated 20th Ultimo that compensation was awarded to owners of lands under occupation and that Government have approved of

of the same, Vide Proceedings Camp (27)
No. 9-10 dated 16th October 1896, leaving
the claim of the Municipality out of
consideration. Copy of this office
docket No. 750 dated 25th Ultimo addressed
to the Deputy Commissioner is herein
enclosed for information

I have the honor to be
Sir
Your most obedt. Servant

T. T. Jeans

PRESIDENT, MUNICIPAL COMMISSION,
BANGALORE, CITY.

Inl.

1495 (22)

1896 L2664

OFFICE OF THE DEWAN OF MYSORE 5291 2 1

From

The President,
Municipal Commission,
Bangalore City.

(3)

Section	L.R.
File No.	1695
Serial No.	5

To

The Secretary to the Government of Mysore Legal & Rev. Department Bangalore

Dated 19th December 1896

Despatched

Received

Gen. No.

No. 145

Enclosure No. one

Subject

Reporting upon the extent of municipal land taken over for the city-goods Railway Station.

James Rice ... of the ... acres not acres granted &c.

1/2/97 Ex Branch Please put up Comp. dtd 9.10.96 Dtd 1/2/97

Sir

It is not necessary in this Ex Branch

Mb

4/1/97 Secy Please say if the extract of Comp. on which the above was passed and if so with what date Dtd 5/1/97

The papers and plans, please Mr. Pinto's Boundaries, & cancel a fee for, I could not do it myself only to prove of Ground work

Secy

The Record has taken place between the Agent & Mr. Pinto says that Subject engaged & transfer of ... Mr. Pinto ... Collector ... Mr. Pinto ... refers to land taken by the Railway. Please indicate ... the ... Ex Branch ... Mr. Pinto ... Please put up Comp. dtd 9.10.96 which ... 7 ... 1896.

1896 21-12-96

1896

From

The President,
Municipal Commission,
Bangalore City.

To

The Deputy Commissioner
Bangalore District
Bangalore

Dated
Despatched } 25th November 1896
Received

Gen. No.
No. 750

Enclosure No.

His docket No: 760 dated 20th instant.

— a —

Has the honor to invite attention to para 1 of Government Proceedings Camp's No: 9-10 dated 16th Ultimo, copy of which was forwarded with his docket under reply, and to state that the undersigned would like to know why the land belonging to the Municipality was

23 1897

OFFICE OF THE
6198
22. JAN 1897
L1463
DEWAN OF MYSORE

From

The President,

Bangalore City Municipality.

(4)

(30)

To

The Secretary

to the Government of Mysore

general and Revenue depts.

Dated 20 } Bangalore

Despatched 21 } January 1897.

Received

General No.

No. 170.

Enclosure No. 1.

Section L.R
File No 16-95
Serial No 6

Subject.

Submitting for the in-
formation of Government
copy of deputy commissioner
letter Bangalore dist—
No 1333 dated 6th instant.

L B B 22/1/97

I S

Put up this with
14 S. of 1911 & 96. quoted with

was handed over by him to the Railway authorities without the consent of the Board and also which was reported that no compensation was called for though the question was pending before Government vide Proceedings No. 1199 / L7495 dated 20th July 1906.

Sd/ T. T. Leonard
President

"Copy"

T. T. Leonard
PRESIDENT, MUNICIPAL COMMISSION,
BANGALORE, CITY.

Ord.

OFFICE OF THE MUNICIPAL COMMISSION,

No, *City Bangalore,* 1st January 189 7.

From

The President, Municipal Commission,
Bangalore City.

To

The Secretary
to Government of Mysore
General and Revenue Depts
Bangalore

SIR,

In continuation of this office letter No. 42 of the 5th instant I have the honour to forward for information and orders a copy of letter No. 333 of the Assistant from the deputy commissioner, Bangalore district, and to state that Govern-

Sl no 18 -ment proceedings No. 27-2 dated 5th Jan 1897 regarding the claim of the municipality for compensation was replied to in this office letter

Serial no 19 No. 53 dated 5th August 1896 and together orders of Govern-

-ment were passed in

Serial no 21 proceedings No. 1199 dated L. T. 24-95

N. 1333.

(33)

Deputy commissioners office
Bangalore 6th January 97.

From,

The deputy commissioner
Bangalore district.

To

The President-
City municipal commission.
Bangalore.

Sir,

With reference to your No 750 dated 25th November last, I have the honour to state that - the land referred to was acquired under the orders of government, from the municipality for government purposes by Dar B. G. Krishnadyengar as far back as 1895, and handed over to the Railway authorities.

2. Dar B G Krishnadyengar

22nd July 1896.

I have the honour to be

Sir

your most obedient servant

G Cameron

To PRESIDENT, MUNICIPAL COMMISSION,

BANGALORE, CITY.

Section K
File No 16-95
Serial No 7

Read:- 4 (5)

Correspondence during last
letter Re Mr Jas Fraser from
the Secretary of the Bangalore City
Municipality - in connection
with the Land Titles Act for the
Civil & Military Station -

Civil Station e. 0134
a 1-24-7.
12 Feby 97.

PL 1546

Before passing orders on the
above reference, the President
is requested to peruse the
Land Titles Act, & the Rules
& Forms issued thereunder for the
same in order to facilitate the
Secretary's
Secretary's letter No 45 dated 5th Feby 1897 to the Secretary to the Bangalore City Municipality.
Land Titles Act, & the Rules & Forms issued thereunder for the same in order to facilitate the
passing of orders on the above reference.
forthcoming in the records of the
office.

Secretary
Dmj 6/2/97

To
The Secretary to the Bangalore
City Municipality.

Govt 1872/97

Section L.K
File No 16-95
Serial No 8

From Rame No 10720 dt 29-3-97. 2 1648

189 — (6)

OFFICE OF THE 7078 DIWAN OF MYSORE

The President,
Bangalore City Municipality.

To The Secretary
to the Government of Mysore
Ecclesiastical and Revenue Depts.

Dated 16th February 1897.
Despatched
Received
General No. No. 205

Bangalore.

Enclosure No. one

Government Proceedings No 9134 L.T. 24-95 dated 12th February 1897.

Has the honour to forward copy of Government Proceedings No (95) 9-10 dated 16th October 96 as requested in the above.

C.T. Jeremiah

PRESIDENT, MUNICIPAL COMMISSION,
BANGALORE, CITY.

Inb.

Proceedings of the Government of Mysore

Read:—

(37)

Letter No 737 dated 2nd March 1896, from the 1st Assistant to the Resident in Mysore forwarding a plan and schedule received from the Consulting Engineer for Railways at Bombay concerning certain land required permanently by the Southern Mahratta Railway Company for extending the Goods Shed at the Bangalore City Railway Station.

Correspondence ending with letter No 588 dated 21st September 1896, from the Deputy Commissioner, Bangalore, submitting for sanction copy of the award made by him of compensations for the land &c in question.

Order thereon Camp No 9-10 dated, Camp. Mysore 16th October 1896

The requisition made by

by Consulting Engineer for Railways was for 10 acres 2 roods and 38.1 poles of land at the Bangalore city station. It has been ascertained by enquiry that an extent of 9 acres and 12 1/4 guntas will meet the requirements of the Railway department. The Deputy Commissioner reports that a portion of the land measuring 5 acres and 7 guntas has already been made over to the Railway authorities as the land belonged to the Municipality and no payment of compensation was called for. The rest of the land being private property, the Deputy Commissioner has made an award of Compensation. For land, the rate of one rupee a square yard adopted in the locality under similar circumstances has been followed and for the buildings concerned the valuation put on them by professional men

has been enhanced by adding a per-
-centage allowance. The total amount-
-ts fixed come to Rs 37,02,7 — 14 — 11.
Subject to exception of two, the parties
are stated to have consented to the
award.

2. Under such circumstances,
Government are pleased to sanction
payment of Compensation as detailed
in the Deputy Commissioner's. The
land and building should be
duly taken possession of at once.
The materials of the building
should be sold in public auction
and the sale proceeds held in
deposit for adjustment in the
cause. The land should be form-
-ally given over to the possession
of the Railway authorities and
the date and name of the officer
receiving possession, reported
for the information of Government.

3. The so called sketch submitted by the Deputy Commissioner is not accurate. An accurate sketch showing the relevant boundings and measurements should be submitted for the information of Government.

4. The Comptroller is authorized to pay the Commutation fixed and to adjust the charge in due course by debiting the net cost, after deducting the realizations from materials, to Capital account in communication with the Secretary to Government for Railways.

Sd/- C. Srinivasaraghava,
Secretary.

"Copy"

Sd/- P. Sitaramiah
For Dy. Commissioner

"True copy"

T. T. Jeevaratnam
PRESIDENT, MUNICIPAL COMMISSION,
BANGALORE, CITY.

Section L.R.
No 16-95
Serial No 9

10720-1 RL1793
LF 24-95
29-3-97

Read:- ~~20~~ (7)

Correspondence ending
with docket c/o 205 dated 16
February 1897 from the President
of the Bangalore City municipality
in regard to the claim preferred
by the municipality for lands
acquired for Railway
purposes.

Order thereon

It is observed that the
total amount of compensation
paid to the municipality on
account of ~~compensation for~~ the
Fondakiehpam Cart stand taken
up for Railway purposes, was
Rs 3514-10-3. Deducting
Rs 3022-8-8 on account of
the value of the building (Cart stand)
and the value of 1 acre
9 Guntas, at Rs 133 per acre as
agreed upon by the Board, there
still remains a balance of Rs 329-
unaccounted for,
as shewn in the margin. The
President is requested to state
explain this difference
is to be accounted for.

Total amount of compensation
paid in Dec 1879: Rs 3514-10-3

Deduct:

(1) Cost of cart stand taken up for Railway Rs 3022-8-8 } 3185-7-5
(2) Value of land 1 acre 9 Guntas at 133 Rs per acre .. Rs 162-14-9 }

Differences 329-2-10

+ Bangalore) Comr's c/o 158
Dy 24/4/79 to President

~~deposited by~~ ~~refund~~ compensation
~~for~~ the rate at Rs 133
~~was~~ was actually paid to the City and
~~is~~ in the next place here
referred to ~~was~~ paid.

(2) Memorial of Krishnaraya

report refers to other

adjoining municipal sites

in respect of which no

compensation was paid by the Board.

~~Copy of Bangalore at the~~

The President ~~of the Bangalore~~

is requested to ascertain ~~at~~

in consultation with the Dy Com^r of the Bangalore Dt^t,

~~a very early~~ and report (1) what

those sites are; (2) when, and

for what Railway, (Madras or

S. M. R.) and on what

terms they were taken up;

(3) how many instances there are

of unmunicipal land within

Municipal limits having been

taken up by Govt for public

purposes; (4) and whether any

compensation was claimed

or recovered by the Board

in any of those instances,

except in that of the Cart

stand.

3. A very early reply should be

submitted.

(Secretary)

To

The Dy Com^r Bangalore with ref to his letter No 28 dt 11/1/95 & the enclosures & with reference to the letter from the President, Bangalore Mun^l Board, No 1 dt 27/1/95

The following enclosures were sent with the letter from Bangalore:—

1. Mr Krishnaraya's letter No 2 with 1 Enc.
2. Letter No 33 dt 19-8-95 from Bangalore City Mun^l
3. Govt Order No 1177 dt 22-7-95
4. Proceedings of Govt No 1445 dt 14-12-95 with his No 763 addressed to the Board of Bangalore.

L262

189 8

33

OFFICE OF T...
1254
13-8-98
...WAN OF MYSORE

From

The President,

Bangalore City Municipality.

To The Secretary to the Government of Mysore

Dated 10th Sept. 1898

Despatched

Received Bangalore

General No. 23 August/98

No.

Enclosure No. one

Secret C R
In No 1695
Serial No 10

To the Letter No 2357 dated 31/8/98

Submitting certain information in re to the claim preferred by the City Municipality Certain compensation for lands acquired for Railway purposes.

"

"

LBBB
13/8/98
Submitted. Secretary
May this be communicated to the Dy Comr Bangalore and he be asked to submit his reply to Govt's clo 10723-24/98 dated 29/3/97 (el 26)

Mr Fuller will see no reason why it will not be the Municipal Act will be altered & need not be by Executive Order

Recommendations referred to

No. 23

En one

OFFICE OF THE MUNICIPAL COMMISSION,
City Bangalore, 9th August 1898

From

The President, Municipal Commission,
Bangalore City.

(149)

To

The Secretary to the
Government of Mysore
Genral & Revenue Departts.
Bangalore.

SIR,

(a6)

Adverting to Government Proceedings No. 10720-1 / L.T. 21.-95 dated 29th March '97 I have the honor to state that every endeavour was made to trace the difference of Rs 329-2-10 in connection with the Compensation granted for the Sondekoppam Cart Stand but it was not possible to account for the excess referred to. From the available papers in this Office it is ascertained that

(45)

a Sum of Rs 3185-7-5 was applied for whereas a Sum of Rs 3514-10-3 was granted the whole of which was received by the Municipality.

1 Cost of Cart Stands taken up for Railway	Rs 3022-8-8
2 Value of land 1 Acre 09 Guntas at Rs 133/- per acre	Rs 162-14-9
	Rs 3185-7-5

2. With regard to para 2 of the Proceedings under reply, the Deputy Commissioner of Bangalore states that the records available in his Office do not show that any Municipal unoccupied sites adjoining the one leased to M. Appavoo Chetty were handed over to any Railway Company. He also states in his Docket No R460 dated 28th September 1897 that the Sondé-Koppa Cart Stand was a piece of land adjoining the well near

the

the Cantonment Railway Station
seem to be the only cases in which
unoccupied lands within Munici-
-pal limits were taken up by
Government for public purposes.

to On a separate reference made
the Surveyor of the Bangalore District
by this Office two instances of
sites taken ups for public purposes
were found out but it was not
possible for the Surveyor or the
Deputy Commissioner to identify
the sites. It was however made
out that no Compensation was
paid to the Municipality for
either of these sites. Copy of state-
-ment shewing particulars of the
sites in question is herein en-
-closed for reference.

3 I beg to conclude by adding that

the

the portion of the Fort Glacis
on which the Victoria Commemo-
-ration Hospital is being built
now is another instance of Munici-
-cipal land taken for public
purposes without payment of
Compensation to the Municipality.

I have the honour to be
Sir
Your most obt servant.

T. T. Leonard
PRESIDENT MUNICIPAL COMMISSION.
BANGALORE, CITY.

Assessment Statement

Annual Value of the Premises in the Land	Occupation of Purchaser - date	Building	Fees	Remarks.
		Building with brick & tiled Roof Stone	Dried Mango fee	The owner of this well is unknown. It is on Municipal (Civil) Land; therefore no measurement was made. The question of cost requires to be settled.

"Copy"

T. C. Leonard

BANGALORE CITY.

Name of Hobli

Name of Village	Govt or Inamdar's	Copy of Survey Accounts				Name of Holder	Items	Total Quantity held by the Holder	Quantity left to Holder	Balance taken	Land	
		No.	Total Acres	Waste	Balance Assessment						opinion of Punchayetdars	opinion of the Cultivators

Copy

Respecting Co-fuly 1855

Sd/ Gurumurthy

Mis 570

L 337

OFFICE OF THE 1959 4736 8 1899

From The President
City Municipal Council
Bangalore

To The
Secretary to the
Government of Mysore
Judicial Department
Bangalore

Dated 28th August 1899.

Despatched 29

Received 31 August 1899.

General No. 34
No.

Enclosure No. Four

Secretary's Docket
No. 2359 dated 19th
L.24-95
August 1898.

Submitting Copies
of the Communica-
tions received from
the Deputy Commissioner
and the Amildar
of Bangalore in the
claim preferred by the
Municipality for lands
required for Railway
purposes.

5443
To D.C. Bangalore
L.2.24-95
Estimate 958-0-0
2/2/95 1044/99
L.7.Dec 95

Section LR
File No 16-95
Serial No 12

Central Jail Press, Bangalore.—21-9-98.—49,302.

24 (15)

(51)

To The President of the
Bangalore City Mrg.

Section L.R
No 16-95
Serial No 11

M 335

His No 239 10/8/98

235-9 8/9/98
L7.24-95

With reference to the
above, has the honour to
request that he will be
so good as to submit
Communications of the
Amildars and the Dy Com
Communications
referred to in para 2 of
letter under reply.

By order

From the same
No 379 28/8/98
L337

BG
18/8/98

for Secretary

Office of the Municipal Commission,

City, Bangalore, 28th August 1897.
29th

No. 37
Ex Jour
From

THE PRESIDENT,

MUNICIPAL COMMISSION,

BANGALORE CITY.

To The Secretary to the
Government of Mysore
General Revenue Depte.
Bangalore.

Sir,

As called for in your Docket
No. 2359/24-95 dated 19th August 1898,
I have the honor to submit here-
-with Copies of the Communications
received from the Deputy Commis-
-sioner and the Amildar of
Bangalore, referred to in para
2 of my letter No. 25 dated 9th
August 1898, in re the Claim pre-
-ferred by the Municipality

D. No 36

for Lands acquired for Rail-
way purposes.

I have the honor to be
Sir
Your most obedient Servant

for President

MRL

Bangalore Round
Dy. Comm^rs Office
Bangalore 19th July 1898

To

The President of the
Munpl. Commission
Bangalore City

Sir,

With reference to the 1st para of your letter No. 1231 of the 28th March 98 regarding the identification of a certain piece of land taken up for Railway purposes in the City of Bangalore about the year 1878, I have the honor to forward herewith for information, report No. 103 dated the 28th June, 1898 from the Amildar of the Bangalore Taluq, from which it will be seen that there are at present no data available to identify the spot

1897

From

The Deputy Commissioner
Bangalore District

(55)

To

The President of the
Bangalore City Municipality

Dated 28th September 1897

Despatched

Received

General No. 460
No.

Enclosure No.

His docket No 1331 of
8th April 1897 asking for
information on the
several queries contained
in paragraph 2 of Gov-
ernment Proceedings
No 1070-1 / L.F. 14-95 of 29th March
1897 in regard to the
claim preferred by the
Municipality for lands
acquired for Railway
purposes.

In reply I have the
honor to state that the
records available in

Central Jail Press, Bangalore.—21-9-98.—49,302.

referred to in the Statement, received with the letter under reference. But whether we might have been the land in question, it is clear that no compensation was paid for it.

I have &c

V. B. K. Venkatarangaiya

Dy. Comr.

Copy

[illegible]

For Secretary

[illegible]

Yours truly,

Muhammad Ashraf

For President

(58)

in this office do not show that any
-cipal unoccupied sites adjoining the
leased out to Mr. Appavoo Chetty by
Municipality were handed over to any
Railway Company.

2 The acquisition of the Cart Stand a
Sandekoppam gate for the Mypone Sta
Railway in 1879, and of a piece of lan
adjoining the well near the Kayts
Railway Station, seem to be the only
in which the unoccupied lands within Mu
-cipal limits were taken by Government
public purposes.

3. In the former Case, Compensation w
paid to the Municipality. The Secon
Assistant Commissioner who was deput
to investigate the matter, reports in his
No 142 of the 13th September 1897 that no C
-pensation was paid in the latter Case

Sd/ B. K Venkatswamy
D Mannar

Copy

Secretary
for President

mEtc

59a

[illegible]

[illegible] 30-3-98. /Sd/ Balasundaram Iy[illegible]
For Dy. Comm[illegible]

[illegible]
866. [illegible]

[illegible]

[illegible] 1878 [illegible] 20 [illegible]

[illegible]

[illegible] 3-35 [illegible] 3-20

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 15 [illegible] 1898 [illegible]

/Sd/ Krishna Rao
[illegible]

59b 5 "c

ಶ್ರೀಯುತ ಪರಿಷನ್ಮಂಡಲಿಯವರು ತಮ್ಮಲ್ಲಿ ಅಪೇಕ್ಷಿಸಿರುವ 15-4-1898ನೇ

ಸಾಲಿನ 866 ನೇ ನಂಬರಿನ ಪತ್ರ.

ಪೇಟೆಯಲ್ಲಿರುವ ಪಾರಂಪರ್ಯದಲ್ಲಿ ಸ್ವಲ್ಪ ಪಾಲಿನ ಕೆಲವು ಪಾಲಿನವರು

ತಮ್ಮ ಪಾಲು-ಪಾಲಾಗಿ-ದಡ್ಡಿಯವರಿಗೆ ಮಾರಿರುವುದು ಅಂದಹಿಡಿದು ಪೇಟೆಯವರಲ್ಲಿ

ಕೆಲವರು ತೆಗಕಬಾಕ್ಕಿಯಲ್ಲಿ ಪಟ್ಟು ಹಾಕಿಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಾರಂಭಿಸಿದ್ದರಿಂದ

ಪೇಟೆಯವರಿಗೆ ಬಹಳ ಪಾಡು-ಪಾಟಲಾಗಿದ್ದುದರಿಂದಲೂ ಸಾಲಗಾರರು ಸಾಲವನ್ನು

ಕೊಡುವುದಕ್ಕೆ ಹಿಂಜರಿಯುವುದರಿಂದಲೂ ಪೇಟೆಯವರು ಪ್ರಾರ್ಥಿಸಿಕೊಂಡಿದ್ದರಿಂದಲೂ

ಪೇಟೆಯವರಿಗೆ ಸಾಲ ಕೊಡಲು ಅಪ್ಪಣೆಯಾಗಿತ್ತು. ಇದಲ್ಲದೆ ಪೇಟೆಯವರು

ಮಳ್ಳಿಯವರಿಗೆ ಪಾಲಾಗಿ ಕೊಟ್ಟಿರುವ ಪಾಲಿನವರು ಪಾಲು ಕೊಡಲಿಲ್ಲವೆಂದೂ

ಹೇಳಿಕೊಂಡಿದ್ದಾರೆ ಎಂದು ತಿಳಿದು ಬಂದಿತು.

ದಿನ 27-4-98. /ಸಹಿ/ N. Narasimmiengar

for Secy. Comm.r.

ಪ್ರತಿಯಲ್ಲಿ:

ತಾವು ಅಪೇಕ್ಷಿಸಿರುವ ಪಾರಂಪರ್ಯದಲ್ಲಿನ ಪಾಲಿನವರು ಪಾಲು

ಪಟ್ಟಿಯಲ್ಲಿ ಪಾಲಾಗಿ ಕೊಟ್ಟಿರುವ ಪಾಲಿನವರು ಪಾಲು ಕೊಡಲಿಲ್ಲವೆಂದು

ಹೇಳಿಕೊಂಡಿದ್ದಾರೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ಪೇಟೆಯವರಲ್ಲಿ ಕೆಲವರು ಪಾಲಿನವರು

ಪಾಲು ಕೊಡಲಿಲ್ಲವೆಂದು ಹೇಳಿಕೊಂಡಿದ್ದಾರೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ಪೇಟೆಯವರಲ್ಲಿ ಕೆಲವರು

ಪಾಲಿನವರು ಪಾಲು ಕೊಡಲಿಲ್ಲವೆಂದು ಹೇಳಿಕೊಂಡಿದ್ದಾರೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು

ಪೇಟೆಯವರಲ್ಲಿ ಕೆಲವರು ಪಾಲಿನವರು ಪಾಲು ಕೊಡಲಿಲ್ಲವೆಂದು ಹೇಳಿಕೊಂಡಿದ್ದಾರೆ ಕಾರ್ಯ

/ಸಹಿ/ B. Krishna Rao

ಅಸಿಸ್ಟೆಂಟ್.

"Copies."

for President.

Section L R
No 16-95
Serial No 13

from P.R.L: city-lots
No 1739 2/5/00 L 1833.

in regard to the claim preferred by the Municipality for compensation in connection with certain municipal lands taken up for railway purposes.

No 8955-56 Rec'd 9/2/00
L 7 24 95

Read:

Correspondence exchanged with the Municipality of Bangalore between 27th August 1895 and 11th November 1895 from the President of the Municipal Council, Bangalore

Notices and 2 Gunters of land belonging to the Municipality were served on the Station Master and addressed by way of Cowcatcher and Communication to the Secretary of the Municipal Board for payment of Rs 500 for Compensation

Order thereon:

The Lands are being freely alienated in favour of the Municipality for extension, the claim for which is the Municipality in the case of Lands inalienable. For Lands required for public purposes Government will be called upon to pay

Government are unable to recognise any claim on the part of the Municipality for compensation in respect of Lands required for public purposes. Application only is made by the Municipality for a claim, inquiries with the Collector upon whom the Municipal Commissioner has no title to municipal lands, but it also appears the Government

~~Can please refer to~~

Lands required for extensions of the City have been and are being freely alienated by Govt in favor of the M.C. Comm.

Secretary.
3rd Jan-00

To

The President & the Corporation
City Municipal Comm.

" The Dy Comm., Bangalore
Dh

Subject
5-1-00.

31-1-1900

Issue. [This may ~~of course~~ be printed, I think].
31-1-00

roceedings of the Government of Mysore, Local Boards Branch Municipal, dated 2nd February 1900.

READ—

Correspondence ending with letters Nos. 37 and 406, dated 28th August and 11th November 1899, respectively, from the President of the Municipal Commission, Bangalore City, in regard to the claim preferred by that body for compensation in connection with certain municipal lands taken up for railway purposes.

No. 8955-6—L. F. 24-95, DATED BANGALORE, 2ND FEBRUARY 1900.

ORDER THEREON—Government are unable to recognize any claim on the part of the Municipality for compensation on account of lands required for public purposes. Not only is such a claim as against the Government inconsistent with the conditions upon which rests the Municipal Commission's title to municipal land, but it also ignores the fact that lands required for extensions of the City have been and are being *freely* alienated by Government in favor of the Municipal Commission.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The President, Municipal Commission, Bangalore City.
The Deputy Commissioner, Bangalore District.

Memo.

Copies to the Presidents of other Municipalities in the Province including Mysore City.

Fwd—H.A.R.

1899-1900

GOVERNMENT OF MYSORE

LOCAL BOARDS BRANCH, MUNICIPAL

PROCEEDINGS

Dated 2nd February 1900

No. 8955-6 / L. F. 24-95

Stating that Government are unable to recognize any claim on the part of Municipalities for compensation on account of lands required for public purposes.

SBP—10-2-1900—200

L.T.
9.5.01

L.T. No 24 of 95 file

11/5/00

Section L.T.
No 16-95
rial No 14

1898-99. 1076,
9-5-99

From

THE PRESIDENT,
Bangalore City Municipality.

1833

THE SECRETARY TO THE
GOVERNMENT OF MYSORE,
General and Revenue Departments,
BANGALORE

Dated 12
Despatched 4
May 99

Received

General No. 173
No.

Enclosure No. 1

Government Proceedings No. 8955-6 L.T. 24-95 dt 23rd February 1900 declining to recognize Claim on the part of the Municipality for Compensation on account of lands required for public purposes.

Submitting for orders the resolution of the Board on the above subject.

Extract from the Proceedings of the Board dated 20th April 1900.

Deferred Propositions.

1. Government Proceedings No. 8955-6—L. F. 24-95, dated 8th February 1900, declining to recognize any claim on the part of the Municipality for compensation on account of lands required for public purposes.

Resolution — The Board [illegible] express their dissent from the principle enunciated in the Government order under reference. The land in question belonged to the Municipal Commission by virtue of Section 7 of the Municipal Regulations of 1871, and its disposal rests with the Commissioners as per Sections 98 & 99 of the said Regulations. The Condition, referred to in the Government order, upon which it is stated that the title of the Municipality to such lands rests, is not understood. The Board resolve to request the Government to

Office of the Municipal Commission,

City, Bangalore, 2nd May 1899.

No. 173/1

From

THE PRESIDENT,
Municipal Commission,
BANGALORE CITY.

(63) (64)

To

THE SECRETARY TO THE GOVERNMENT OF MYSORE,
General and Revenue Departments,
BANGALORE.

Sir,

With reference to Government Proceedings No. 8955-6 / Z.F. 24-98 dated 2nd February last declining to recognize any claim on the part of the Municipality for compensation on account of lands required for public purposes, I have the honor to submit herewith for the orders of Government the Resolution of the Board dated 26th ultimo on the subject.

The Board are of opinion that all Municipal lands vest in the Commission under Section 72

(5)

of the Municipal Regulations of 1871 and are subject to disposal, by sale or otherwise, by that body alone under sections 98 and 99 of the said Regulations.

I have the honor to be
Sir
Your most obst. Servant

H. McKinnon
President

H.S.K.

Kindly reconsider the above Order.

Sd/- N. C. Kuttamma Chetty
(President

Copy.

Kuttamma Chetty
(President

Asst

Section L.R
No 16-95
Serial No 15

21 & 41

Read -

(73) Letter no. 173 dated the 2nd May 1900 from the Presdt. of the Municipal Commrs. Bangalore City, submitting copy of a resolution of the Mun! Commissioners expressing their dissent from the principle laid down in Govt. Progs. No. 8955-6 & L7 24-95 of the 2nd February 1900. in the matter of a claim set up by them for compensation on account of municipal lands required for public purposes.

Order

The claim preferred by the Municipal Board under the letter read above is untenable.

R. 5'

4 5-5-3 8725/9/00

L724-95

untenable. The principle on which Govt deals with these questions will be found in the Revised Revenue Rules shortly to be issued

Yrs.

For Secy.

Dy 21/5/00

2

The Private Secy to Govt.

Bangalore City.